

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00126

JOSHUA DEVERE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 18, 2017, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Joshua Devere, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a 24-month less one day term of supervised release in this action on March 17, 2017, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on June 10, 2016.

The court heard the admissions of the defendant and the representations and argument of counsel.

The court finds that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to file a monthly supervision report for the months of July, August, September and October, 2017; (2) the defendant failed to contact the probation officer as instructed as more fully set forth in Violation No. 2; (3) the defendant failed to notify the probation officer of his change in residence inasmuch as on September 20, 2017, the probation officer learned that the defendant and his father moved to a different apartment building, the defendant having failed to notify the probation officer of the move; (4) the defendant failed to attend substance abuse counseling and treatment as directed by the probation officer; and (5) the defendant failed to report for urine screens as instructed on March 27, April 14, May 24, June 9 and 19, July 11 and 18, August 31, and September 14, 2017; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

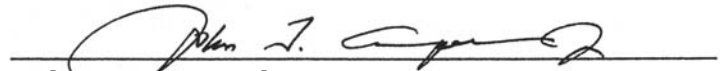
Inasmuch as the defendant has engaged himself in regular, full-time employment in an exemplary manner as set forth in the letter received this date from Rafael Rodriguez, which is hereby ORDERED filed, the court declines to revoke

supervised release, the petition is hereby held in abeyance and the defendant remains on the 24-month less one day term of supervised release imposed by the court's entered on June 10, 2016, and the defendant shall continue to engage in full-time employment on a regular basis, follow the instruction of the probation officer, remain in touch with the probation officer as directed and file monthly reports with the probation officer as required.

The defendant was remanded to the custody of the United States Marshal for his return to South Central Regional Jail for processing prior to his release today.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 18, 2017


John T. Copenhaver, Jr.
United States District Judge